

Adopted	Rejected
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COMMITTEE REPORT

YES:	6
NO:	3

MR. SPEAKER:

*Your Committee on Rules and Legislative Procedures, to which was referred House Bill 1446, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 transportation.
- 4 Delete everything after the enacting clause and insert the following:
- 5 SECTION 1. IC 8-14-10-8 IS AMENDED TO READ AS
- 6 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 8. The department may
- 7 use the money in the fund only to pay the following costs:
- 8 (1) The cost of construction or reconstruction of a state highway.
- 9 (2) The cost of acquisition of all land, rights-of-way, property,
- 10 rights, easements, and any other legal or equitable interests
- 11 acquired by the department for the construction or reconstruction
- 12 of a state highway, including the cost of any relocations incident
- 13 to the acquisition.
- 14 (3) The cost of demolishing or removing any buildings, structures,

or improvements on property acquired by the department for the construction or reconstruction of a state highway.

(4) Engineering and legal expenses, and the costs of plans, specifications, surveys, estimates, and any necessary feasibility studies.

(5) Payment of rentals and performance of other obligations under contracts or leases ~~relating to projects~~ **securing bonds issued under ~~IC 8-14-5~~ IC 8-14.5-6.**

SECTION 2. IC 8-14-10-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 9. (a) The crossroads 2000 fund is established for the purpose of constructing or reconstructing state highways. The crossroads 2000 fund consists of distributions received under IC 9-29-1-2, IC 9-29-15-1, IC 9-29-15-3, and IC 9-29-15-4.

(b) The crossroads 2000 fund shall be administered by the department. The treasurer of state shall invest the money in the crossroads 2000 fund not currently needed to meet the obligations of the crossroads 2000 fund in the same manner as other public funds may be invested.

(c) Money in the crossroads 2000 fund at the end of a state fiscal year does not revert to the state general fund.

(d) The department may use the money in the crossroads 2000 fund only to pay the following costs:

(1) The cost of construction or reconstruction of a state highway.

(2) The cost of acquisition of all land, rights-of-way, property, rights, easements, and any other legal or equitable interests acquired by the department for the construction or reconstruction of a state highway, including the cost of any relocations incident to the acquisition.

(3) The cost of demolishing or removing any buildings, structures, or improvements on property acquired by the department for the construction or reconstruction of a state highway.

(4) Engineering and legal expenses, and the costs of plans, specifications, surveys, estimates, and any necessary feasibility studies.

(5) Payment of rentals and performance of other obligations under contracts or leases ~~relating to projects~~ **securing bonds issued**

under ~~IC 8-14.5~~ IC 8-14.5-6.

SECTION 3. IC 8-14-10-10 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: **Sec. 10. (a) The grant anticipation fund is established to construct and reconstruct state highways. The grant anticipation fund consists of distributions of federal transportation revenues (as defined in IC 8-14.5-7-1) made under IC 8-23-3-11.**

(b) The grant anticipation fund shall be administered by the department. The treasurer of state shall invest the money in the grant anticipation fund not currently needed to meet the obligations of the grant anticipation fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the grant anticipation fund.

(c) Money in the grant anticipation fund at the end of a state fiscal year does not revert to the state general fund.

(d) The department may use the money in the grant anticipation fund only to pay the following costs:

(1) The cost of construction or reconstruction of a highway improvement project.

(2) The cost of acquisition of all land, rights-of-way, property, rights, easements, and any other legal or equitable interests acquired by the department for the construction or reconstruction of a highway improvement project, including the cost of any relocations incident to the acquisition.

(3) The cost of demolishing or removing any buildings, structures, or improvements on property acquired by the department for the construction or reconstruction of a highway improvement project.

(4) Engineering and legal expenses and the costs of plans, specifications, surveys, estimates, and any necessary feasibility studies.

(5) Payment of rentals and performance of other obligations under contracts or leases relating to highway improvement projects securing grant anticipation revenue bonds or notes

1 **issued under IC 8-14.5-7. However, amounts in the grant**
 2 **anticipation fund may not be pledged to such payments.**

3 **(e) A holder of grant anticipation revenue bonds or notes issued**
 4 **under IC 8-14.5-7 may not compel the payment of federal**
 5 **transportation revenues to the department.**

6 SECTION 4. IC 8-14.5-2-3 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 3. "Bonds" refers to
 8 bonds of the authority issued under IC 8-14.5-6 **or IC 8-14.5-7.**

9 SECTION 5. IC 8-14.5-2-8 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 8. "Notes" refers to
 11 notes of the authority issued under IC 8-14.5-6 **or IC 8-14.5-7** and
 12 includes any evidences of indebtedness of the authority except bonds.

13 SECTION 6. IC 8-14.5-5-5 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 5. The department shall
 15 pay lease rentals for leases entered into under this chapter **and securing**
 16 **bonds issued under IC 8-14.5-6** from revenues transferred to the state
 17 highway road construction and improvement fund or the crossroads
 18 2000 fund before making any other disbursements from those ~~revenues.~~
 19 **funds. The department shall pay lease rentals for leases entered**
 20 **into under this chapter and securing grant anticipation revenue**
 21 **bonds or notes issued under IC 8-14.5-7 from federal**
 22 **transportation revenues (as defined in IC 8-14.5-7-1) transferred**
 23 **to the grant anticipation fund before making any other**
 24 **disbursements from the grant anticipation fund.**

25 SECTION 7. IC 8-14.5-7 IS ADDED TO THE INDIANA CODE AS
 26 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 27 2004]:

28 **Chapter 7. Grant Anticipation Revenue Bonds and Notes**

29 **Sec. 1. As used in this chapter, "federal transportation**
 30 **revenues" means:**

31 **(1) money and obligation authority apportioned or allocated,**
 32 **or anticipated to be apportioned or allocated in the current**
 33 **federal fiscal year or a future federal fiscal year, to Indiana**
 34 **by the United States Department of Transportation under 23**
 35 **U.S.C., as amended, for use on a project; or**

36 **(2) other federal money that may be used for a project and is**

1 available or anticipated to be available in the current federal
2 fiscal year or a future federal fiscal year.

3 Sec. 2. As used in this chapter, "grant anticipation revenue
4 bond" or "grant anticipation revenue note" means a bond or note,
5 respectively, secured by lease rentals relating to highway
6 improvement projects and anticipated to be paid from federal
7 transportation revenues deposited in the grant anticipation fund.

8 Sec. 3. As used in this chapter, "highway improvement project"
9 means a project for which the department may use federal
10 transportation revenues.

11 Sec. 4. The authority may, by resolution, issue grant
12 anticipation revenue bonds or notes for any purpose that is
13 authorized by IC 8-14.5-6 and for which the department may use
14 federal transportation revenues.

15 Sec. 5. (a) Before grant anticipation revenue bonds or notes
16 may be issued under this chapter, the department shall prepare a
17 revenue declaration providing a specified amount or percentage of
18 federal transportation revenues received by the state during a
19 state fiscal year to be deposited in the grant anticipation fund and
20 the number of years those deposits shall be made. A revenue
21 declaration prepared under this section is subject to approval of
22 the budget agency and the authority.

23 (b) The total amount of lease rentals securing grant
24 anticipation revenue bonds or notes issued under IC 8-14.5-7 and
25 scheduled to be paid during any state fiscal year, determined as of
26 the date of issuance of each series of grant anticipation revenue
27 bonds or notes, may not exceed an amount equal to the greater of:

28 (1) sixty million dollars (\$60,000,000); or

29 (2) fifty percent (50%) of the remainder of:

30 (A) the total amount of federal transportation revenues
31 apportioned or allocated to the department during the
32 federal fiscal year immediately preceding the state fiscal
33 year in which such series of bonds or notes is issued;
34 minus

35 (B) seven hundred sixteen million seventy-four thousand

1 three hundred eighteen dollars (\$716,074,318), which is
 2 the total amount of federal transportation revenues
 3 apportioned or allocated to the department during the
 4 federal fiscal year beginning October 1, 2001, and ending
 5 September 30, 2002.

6 (c) All other provisions of IC 8-14.5-6 apply to the issuance of
 7 grant anticipation revenue bonds or notes under this chapter.

8 **Sec. 6. Grant anticipation revenue bonds or notes:**

9 (1) constitute the corporate obligations of the authority;

10 (2) do not constitute an indebtedness of the state within the
 11 meaning or application of any constitutional provision or
 12 limitation; and

13 (3) are payable solely as to both principal and interest from:

14 (A) the revenues from a lease to the department, if any;

15 (B) proceeds of bonds or notes, if any; or

16 (C) investment earnings on proceeds of bonds or notes, if
 17 any.

18 SECTION 8. IC 8-23-3-11 IS ADDED TO THE INDIANA CODE
 19 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 20 1, 2004]: **Sec. 11. Notwithstanding any other provision of this**
 21 **chapter, if grant anticipation revenue bonds or notes have been**
 22 **issued under IC 8-14.5-7, the department shall collect or cause to**
 23 **be collected federal transportation revenues (as defined in**
 24 **IC 8-14.5-7-1) and shall, as provided by the department in the**
 25 **revenue declaration relating to the issuance of the grant**
 26 **anticipation revenue bonds or notes, deposit or cause to be**
 27 **deposited the specified part of the federal transportation revenues**
 28 **in the grant anticipation fund.**

(Reference is to HB 1446 as introduced.)

and when so amended that said bill do pass.

Representative Pelath